

**Legislative Rule-Making Review Committee**

**Tuesday, December 6, 2016**

Senate

Maynard, Chair	Present
Boley	Present
Karnes	Present
Miller	Present
Snyder	
Sypolt	Present

**Senate Judiciary Committee Room**

**4:00 p.m. to 7:00 p.m.**

House

Sobonya, Chair	Present
Frich, Vice-Chair	Present
Hanshaw	Present
Moffatt	Present
Rowe	Present
Fleischauer	Present

The Legislative Rule-Making Review Committee met in the Senate Judiciary Committee Room at 4:00 p.m. on Tuesday, December 6, 2016. The meeting was called to order by the Chair, Senator Maynard. A silent roll call was taken by the Clerk as reflected above. Staff present included: Jared Wyrick, Joint Director of the Committee; Kevin Baker, Senate Counsel; Charlie Roskovensky, House Counsel; Marty Wright, House Counsel; James Fuerhoff, House Clerk; and Mark White, House Clerk.

The first order of business was approval of the minutes from the December 4<sup>th</sup> and December 5<sup>th</sup> meetings. Delegate Sobonya moved the minutes be approved. The motion was adopted.

Kevin Baker, Senate Counsel, explained her abstract on the rule proposed by the **Public Service Commission, Telephone Conduit Occupancy, 150 CSR 37**, and responded to questions from the committee.

Richard Hitt, General Counsel, Public Service Commission, addressed the committee and responded to questions.

Mark McKenzie, Director of Engineering, Frontier Communications, addressed the committee and responded to questions.

Delegate Sobonya moved that the committee adopt the agency agreed-to modifications to the rule. The motion was adopted.

Delegate Sobonya moved to approve the rule as modified. The motion was adopted.

Charlie Roskovensky, House Counsel, explained his abstract on the rule proposed by the **Board of Pharmacy, Mail-Order and Non-Resident Pharmacies, 15 CSR 6**, and responded to questions from the committee.

Delegate Sobonya moved that the committee adopt the agency agreed-to modifications to the rule. The motion was adopted.

Delegate Sobonya moved to approve the rule as modified. The motion was adopted.

Charlie Roskovensky, House Counsel, explained his abstract on the rule proposed by the **Board of Pharmacy, Controlled Substances Monitoring Program, 15 CSR 8**.

Delegate Sobonya moved that the committee adopt the agency agreed-to modifications to the rule. The motion was adopted.

Delegate Sobonya moved to approve the rule as modified. The motion was adopted.

Charlie Roskovensky, House Counsel, explained his abstract on the rule proposed by the **Board of Pharmacy, Licensure and Practice of Pharmacy, 15 CSR 1**.

Delegate Sobonya moved that the committee adopt the agency agreed-to modifications to the rule. The motion was adopted.

Delegate Sobonya moved to approve the rule as modified. The motion was adopted.

Marty Wright, House Counsel, explained his abstract on the rule proposed by the **Ethics Commission, Private Gain, 158 CSR 6**, and responded to questions from the committee.

Delegate Sobonya moved that the committee adopt the agency agreed-to modifications to the rule. The motion was adopted.

Delegate Sobonya moved to approve the rule as modified. The motion was adopted.

Marty Wright, House Counsel, explained his abstract on the rule proposed by the **Fire Marshall, Regulation of Fireworks and Related Explosive Materials, 103 CSR 4**, and responded to questions from the committee.

Bridget Lambert, President, West Virginia Retailers' Association, addressed the committee and responded to questions.

Cliff Ross, Acting President, West Virginia Fireworks Association, addressed the committee.

Steve Connelly, Deputy Attorney General, General Counsel for State Fire Commission, addressed the committee and responded to questions.

Charles Walker, Director of Compliance, TNT Fireworks, addressed the committee and responded to questions.

Delegate Sobonya moved that the committee adopt the agency agreed-to modifications to the rule. The motion was adopted.

Senator Karnes moved to reconsider the motion by which the committee adopted the agency agreed to modifications suggested by counsel. The motion was adopted.

Delegate Sobonya requested unanimous consent to withdraw her motion to adopt the agency agreed to modifications suggested by counsel.

Delegate Sobonya moved that the committee adopt the agency agreed-to modifications to the rule with further modifications as described by counsel. The motion was adopted.

Delegate Sobonya moved to approve the rule as modified. The motion was adopted.

Marty Wright, House Counsel, explained his abstract on the rule proposed by the **Governor's Committee on Crime, Delinquency and Correction, Law Enforcement Training and Certification Standards, 149 CSR 2.**

Delegate Sobonya moved that the committee adopt the agency agreed-to modifications to the rule. The motion was adopted.

Delegate Sobonya moved to approve the rule as modified. The motion was adopted.

Marty Wright, House Counsel, explained his abstract on the rule proposed by the **Governor's Committee on Crime, Delinquency and Correction, William R. Laird – Second Chance Driver's License Program, 149 CSR 9,** and responded to questions from the committee.

Delegate Sobonya moved that the committee adopt the agency agreed-to modifications to the rule. The motion was adopted.

Delegate Sobonya moved to approve the rule as modified. The motion was adopted.

Upon motion of Delegate Sobonya, the meeting was adjourned.